IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1390 OF 2004

Jagdish R.Agarwal .. Petitioner.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.S.P.Kanuga for the petitioner.
Mr.R.Y.Mirza APP for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 27TH AUGUST, 2004

P.C.:

. Heard Mr.Kanuga, learned counsel for the petitioner and Mr.Mirza, learned A.P.P. for the respondents.

2. The petitioner in this petition has prayed for directions to respondent no.2 to consider the application of the petitioner for grant of video cinema license within time frame. Mr.Kanuga, learned counsel for the petitioner states that the said application of the petitioner dated 24.5.2004 has not been disposed of so far. Without entering into the reasons as to why the application could not be disposed of so far, in my opinion, the interest of justice would be served by the following order:

. Respondent No.2 shall endeavour to dispose of the application of the petitioner dated 24.5.2004 for grant of video cinema license as expeditiously as possible and preferrably within eight weeks from today. It is open for the petitioner to invite the attention of respondent no.2 to the order of this court dated 25.1.1999 passed in Writ Petition No.2408 of 1998 and contend that no objection certificate from the Health Department, Mumbai Municipal Corporation, would not be necessary for issue of video cinema license. Respondent No.2 shall pass appropriate orders in accordance with law. This petition is disposed of.

. While passing this order I shall not be understood to have examined the submissions of Mr.Kanuga, learned counsel for the petitioner in respect of no objection certificate from the Health Department, Mumbai Municipal Corporation. Respondent No.2 shall decide the application dated 24.5.2004 in accordance with law and uninfluenced by this order.

. The petitioner to communicate this order to respondent no.2 within one week from today to enable him to dispose of the application within time frame granted by this order.

(D.B.Bhosale, J.)